

REMARKS

STATUS OF CLAIMS

Claims 40-41, 47-50, and 54-60 were previously pending. Claim 49 has been amended and no new claims have been added or cancelled. Therefore, claims 40-41, 47-50, and 54-60 remain pending for reconsideration.

REJECTION UNDER 35 USC § 102

In the final office action, claims 40-41, 47-50, and 54-60 were rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,675,385 to Wang (hereafter “Wang”). Applicants respectfully traverse this rejection for the following reasons.

First, Wang is not prior art to the present application. Wang has a filing date of October 21, 1998, which is after the priority date of the present application. The present application was filed as a continuation application of U.S. patent application serial no. 08/882,908 filed on June 26, 1997. Accordingly, the effective filing date of the present application precedes the prior art date under section 102(e) of the Wang patent.

Accordingly, with Wang removed as a reference, this rejection has been overcome.

Second, the features recited in the pending independent claims are not disclosed by Wang and would be patentable over the disclosure of Wang even if it were considered to be prior art to the present application which it is not. For example, independent claim 40 recites, *inter alia*, “upon determining the new page requires reduced latency, placing the new page into the carousel more than once.” At least this recited feature is not disclosed or suggested by Wang. Specifically, Wang as applied describes that web pages corresponding to the current date and time are transmitted at high rate to reduce the access time. (*Wang, col. 7, line 1-7, The Web pages 37A corresponding to the current time interval and/or the current date are transmitted at high rate 42, 42N for short access*

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time. The Web pages 37B corresponding to near future time (1-3 days) are transmitted at medium rate 44, 44N. The Web pages 37B corresponding to far future time (4-6 days) are transmitted at low rate 46, 46N.) Wang then, describes transmitting current date information at a higher transmission rate. At most this could be characterized to mean using high transmission for information currently needed, and thus teaches away from the claimed “reduced latency” determination driving the “placing the new page into the carousel more than once.” Thus, Wang fails to describe at least the recited feature of “upon determining the new page requires reduced latency, placing the new page into the carousel more than once” among other things.

Likewise, independent claims 49 and 56 also recites similar features (to that discussed above) and is also patentable for similar reasons.

Accordingly, the applied anticipation rejection should be withdrawn since it is based on a Wang reference which is not prior art to the pending claims. Furthermore, Wang does not disclose several of the features recited in the pending independent claims 40, 49, and 56.

DEPENDENT CLAIMS

The dependent claims are deemed to be patentable at least based on their dependence from allowable independent claims. In addition, they recite patentable subject matter when considered as a whole.

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CONCLUSION

Accordingly, applicants submit that the application is now in condition for allowance and an indication of the same is respectfully requested. If the Examiner believes that the application is not in condition for allowance, the Examiner is respectfully requested to call the Applicants' representative at the telephone number listed below.

If this Amendment is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this Response, including an extension fee that is not covered by an enclosed check please charge any deficiency to Deposit Account No. 50-0463.

Respectfully submitted,
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